

**REMARKS**

Claims 1 and 16 – 18 have been amended. A new independent claim 19 has been added and new dependent claims 20 – 22 have been added. Claims 4 – 9 and 11 – 15 have been cancelled. Claims 1 – 3, 10, and 16 – 22 are currently pending.

In the Office Action, the drawings are objected to, claims 8, 9, and 11 – 13 are rejected under 35 U.S.C. §112, first paragraph, and claims 6 – 9 and 11 – 14 are rejected under 35 U.S.C. §112, second paragraph. Additionally, in the Office Action, claims 1, 2, 4 – 7, 11, and 14 – 16 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 344,595 to Ramsay, claims 1, 4 – 7, 11, and 14 – 17 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 680,631 to Brannon et al, claims 1, 3 – 7, and 11 - 16 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 663,326 to Young, claims 1, 3 – 9, 11, and 14 - 16 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 776,825 to Buffum. Furthermore, in the Office Action, claims 1 – 7, 10, 11, and 14 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 1,073,376 to Vivian and claims 1, 4 – 7, and 15 - 18 are rejected under 35 U.S.C. §102(b) as being anticipated by US Patent No. 4,103,789 to Andrews et al.

With respect to the objection to the drawings, the rejection of claims 8, 9, and 11 – 13 under 35 U.S.C. §112, first paragraph, and the rejection of claims 6 – 9 and 11 – 14 under 35 U.S.C. §112, second paragraph, it is submitted that this drawing objection and these rejections under 35 U.S.C. §112, first paragraph, and 35 U.S.C. §112, second paragraph, are now moot in view of the cancellation of claims 4 – 9 and 11 – 14.

With respect to the various rejections of claims 1 – 3, 10, and 15 – 18 under 35 U.S.C. §102(b), favorable reconsideration is respectfully requested in

view of the amendment of claim 1 and 16 – 18, the cancellation of claim 15, and the following comments.

Claim 1 of the present application as currently amended recites an apparatus for at least one of loading and unloading goods units to and from a transport compartment, comprising: at least one conveying unit to be installed in a loading area, the conveying unit simultaneously conveying the goods units and having at least one insertion device adapted to be inserted into the transport compartment. Claim 1 of the present application as currently amended further recites that the conveying unit is movable in a direction toward the transport compartment when conveying the goods units into the transport compartment and being movable in a direction away from the transport compartment to effect off loading of the goods units into the transport compartment. Claim 1 of the present application as currently amended still further recites that the insertion device forms an area on which the goods units are to be placed and that the insertion device is movable in a direction toward the transport compartment contemporaneously with the movement of the conveying unit in a direction away from the transport compartment, whereupon the insertion device discharges from the conveying unit the goods units that have been conveyed into the transport compartment.

It is submitted that none of US Patent No. 344,595 to Ramsay, US Patent No. 680,631 to Brannon et al, US Patent No. 663,326 to Young, US Patent No. 776,825 to Buffum, US Patent No. 1,073,376 to Vivian, or US Patent No. 4,103,789 to Andrews et al, either alone or in combination, teach or disclose the apparatus recited in claim 1 of the present application. For example, none of these prior art references teaches or discloses an insertion device such as recited in claim 1 of the present application as currently amended, that unloads goods units by movement in a direction toward the transport compartment while the conveying unit is contemporaneously moving in a direction away from the transport compartment.

It is additionally submitted that claims 16 – 18 of the present application as currently amended are neither taught nor disclosed by any of US Patent No. 344,595 to Ramsay, US Patent No. 680,631 to Brannon et al, US Patent No. 663,326 to Young, US Patent No. 776,825 to Buffum, US Patent No. 1,073,376 to Vivian, or US Patent No. 4,103,789 to Andrews et al, either alone or in combination, for at least the same reasons as set forth above with respect to the patentability of claim 1 of the present application as currently amended.

It is further submitted that claim 19 and new dependent claims 20 – 22 patentably define over the prior art of record.

In view of the foregoing, allowance of claims 1 –3, 10, and 16 – 22 is respectfully solicited.

Respectfully submitted,



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